

CONSIDERATIONS

ON THE

PENAL LAWS

AGAINST

ROMAN CATHOLICS

IN ENGLAND,

AND THE

New acquired COLONIES in AMERICA.

In a LETTER to a NOBLE LORD.

By a COUNTRY GENTLEMAN.

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CONSIDERATIONS

OF THE

PRESENT STATE

OF THE

BRITISH MUSEUM



AND THE

PROGRESS OF

THE

ARTS

AND

MANUFACTURES

IN

BRITAIN

AND

THE

WEST INDIES

AND

AFRICA

AND

ASIA

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AGAINST

Roman Catholics in ENGLAND, &c.

MY LORD,

I RECEIVED as a signal favour the permission you gave me, of offering to your lordship some reasons, as a foundation for my hopes that, during the reign of our present most amiable Sovereign, some mitigation might be allowed of the severe laws made against those, who have retained the religion of our forefathers : it

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s also a kind of justice due to the unfortunate to hear their complaints ; if the judge, who condemns a person without giving him an opportunity of justifying himself, shocks that equity which nature has implanted in our minds, it must be some breach of that rule, if persons, whose abilities, rank, and fortune make them the leaders of the opinions of mankind, and whose decisions are often more prejudicial than the judge's sentence, will listen to no apology, but join in the popular condemnation of a perhaps innocent set of people, the cause unheard. Let me then submit to your consideration, whether the religious and political reasons for enacting those laws are not entirely ceased ? It may also be expedient to dispose the minds, of a great number of inhabitants of the new-acquired countries in America, to become willing and faithful subjects of the British monarchy ; and several foreign powers have, of late years, granted or extended toleration to those who differ from the predominant religion of the country.

The king of Prussia did his Catholic subjects

subjects the honour to lay the first stone of the church he permitted them to build at Berlin; he likewise gives stipends to Priests to attend his armies and his Catholic soldiers, and has an agent at the court of Rome. The Empress Queen has granted toleration to the Protestants of Hungary: the King of Denmark has allowed the exercise of the Catholic religion: the Princes of Germany are following these examples. Toleration was established in Muscovy by Peter the great. The persecution of the Huguenots by Lewis the XIVth is almost universally disapproved of in France. The Jews were, I think, lately allowed to settle in the kingdom of Naples; and there and in Sicily the congregations who use the rites of the Greek church meet with no molestation. The king of Portugal is taking Protestant officers into his army. Except in the extremities of Europe, Spain, and Sweden, the benign spirit of moderation is gaining ground. Nothing can seem more agreeable to the precepts and practice of our divine lawgiver, and of those who first propagated his doctrine. If the two disciples, who

would have drawn down fire from Heaven on the towns who refused to receive their master, knew not the spirit of the gospel, and of the ministry they were called to, surely those who light the fires of persecution on Earth must be at least equally ignorant.

Mildness, patience, and universal benevolence were the distinguishing virtues of the first Christians; and after they had acquired power, they did not retaliate persecution on the Idolaters, of whom there were great numbers who lived unmolested in Rome, and all over the Roman empire during the reigns of many Christian Emperors.

The differences that arose amongst Christians after their religion became predominant, and the tumults that ensued, gave occasion to the Emperors and civil magistrates interfering, to preserve the good order of society: the Christian priests were not even the accusers; and those who retained most of the primitive virtues made use of their interest only to save their flock from criminal prosecutions. There was a remarkable

remarkable instance of this in the fourth century ; two Spanish bishops had persecuted certain heretics called Priscillianists, by giving information against them to the courts of civil judicature, and they were put to death ; upon which all the eminent prelates of the Western church refused to join in their communion, and they were afterwards deposed from their bishopricks by a council, for having acted a part contrary to the duty of christian pastors.

The first apostles of our Saxon ancestors preached the same sentiments of freedom and moderation, which Bede testifies, and himself approves of ; for that venerable author, speaking of Ethelbert their first Christian king, says, *that he compelled none to embrace Christianity ; for he had learned from his instructors and leaders to salvation, that the service of Christ ought to be voluntary, not by compulsion.*

The general beneficence of the Christian dispensation was greatly altered by the barbarism of those nations who overturned the Roman empire. The kings of the Arian Vandals, who conquered great part of

Africa, shed more innocent blood on pretence of religion than any of the heathen Emperors; and the same Gothic ignorance, that occasioned the ministers of the gospel so far to forget their calling as to appear in armour and lead their followers to battle, induced them likewise to pursue the ways of violence against those who did not submit to their decisions in matters of religion: the employments and power of the state being conferred on Ecclesiastics, which blended the two jurisdictions, the wars with the Saracens, the spirit of chivalry, and many other causes, hindered the world from perceiving the impropriety of this conduct. Not only the clergy who maintained the established faith made use of persecution to preserve it unaltered, but all the first reformers, except Melancthon, were very averse to a toleration of any other innovations but their own. Several private persons amongst the Catholics disapproved of all compulsive means to reclaim those who had forsaken their communion: at this time most people agree, that religion imposes no obligation of persecuting those persons who profess a different way of thinking;

thinking ; so that no branch of Christianity is intolerant by principle, however the passions of men, coloured by various pretences, may have distorted the practice.

The Dutch seem to have been the first nation in these later ages who admitted toleration as a rule of government, which their ablest patriots have thought conducive to the support of the republic, and to the trade and riches of the inhabitants. The wars of religion, as they are called, in Germany, and those of France and of England, brought something of a like principle of policy into the councils of several princes. The regulations of the treaty of Westphalia (the toleration act of the German empire) have been so cordially agreed to, that the Catholics and Lutherans often consent to make use of the same place of Worship at different hours. Before the civil wars of king Charles the First, it was the constant view of our Sovereigns and their ministers to establish an uniformity of worship, and for that purpose many severe and sanguinary laws were enacted ; but now, when sentiments of moderation prevail over great part of Europe, and

particularly in this kingdom, and at a time when those who profess all the various ways of thinking on religious subjects which divide mankind, meet here with protection, certainly one of your lordship's benevolent disposition must perceive the hardship of such a body of penal laws still remaining in force against those only who adhere to the antient faith. As the reason, formerly alledged, of preserving uniformity of religion has ceased, other motives are suggested for keeping Roman Catholics under the pressure of these laws, particularly their attachment to the bishop of Rome; but whatever may have been the sentiments of those of that communion in former times, I can assure your lordship that I know none, but who *from their hearts renounce and detest the doctrine, that princes excommunicated, or deprived by the Pope, or any authority of the see of Rome, may be deposed or murdered by their subjects, or any other whomsoever.* And it is the opinion in a manner universally held by all Catholics, that the pretence to that deposing power was an usurpation of the court of Rome, quite opposite to the conduct of the first Christians; and

and that the Pope's authority is merely spiritual (except in that part of Italy of which he is temporal prince); and that in all other countries he has no power but what was granted by that divine Master who declared his kingdom not to be of this world, and who gave to his Apostle the keys of the kingdom of heaven, and not of the kingdoms established upon earth. It is now near 200 years since the Popes pretended to exercise this power, which is a kind of tacit disavowal of it; and during this long period I do not recollect an instance of their intermeddling in the state affairs of England:—only one of them joined his interest to those who brought about the Revolution; and the last Pope, Benedict the XIVth. exhorted the English priests always to speak respectfully of the established government. The various other accusations brought against Catholics, arise chiefly from their adversaries determining what their tenets are, and not giving them leave to explain their own sentiments: thus they are accused of placing their confidence in a statue or a picture; whereas they insist, that they only make use of them to instruct the

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the ignorant, and to put others in mind of the mysteries of the Christian religion, and of those persons who have been most eminent in virtue, or have greatly promoted or suffered in the cause of Christianity; and their thoughts are directed to nothing but the object of the representation; and Roman Catholics apply to Angels and the servants of the Almighty in the same manner as they apply to their brethren upon earth for their prayers; which can be no derogation to their duty to the one eternal Deity, or the merits of their Redeemer:

Some persons urge their disregard to oaths and the most solemn promises, when the interest of their religion is concerned; but their being in a manner the only people who suffer for not complying with the oaths and declarations required by the Legislature, is a clear refutation of that calumny: Another common topic of ridicule is the sacrifice those of that persuasion are supposed to make of their reason to the authority of their priests; but in this they act much in the same manner as the rest of mankind in their most important concerns; the client is directed by his lawyer in
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what regards his property, and makes so little use of his reason, that the Counsellors frequently do not alledge the motives on which they found their opinions. How blindly do the wisest men follow the advice of the physician, when their health and life itself is at stake? why should those alone be ridiculous, who in matters of religion consult that order of men, who are supposed to have made that the study and business of their lives? and they, as the learned bishop of Meaux observes, are not to impose any new article of belief, but only to inform their flock what was the doctrine of Christ and his Apostles. The motives for the credibility of their faith are founded on argument or the use of reason; but when Catholics are convinced that God has spoke, then they sacrifice that reason to the veracity of God, and follow the precept of submitting their understanding to the obedience of faith.

In these days of moderation, questions of religious controversy are not much insisted on; as reasons for that great number of penal laws continuing in force against Catholics: but what is most seriously objected on this subject is disaffection to the present government.

At the revolution, and on the first accession of the present royal family, the sentiments of many persons in this kingdom were averse to the government of king William, and to the dispositions made by the Act of Settlement : this happens whenever great changes take place, and is not to be imputed to Catholics in particular ; they were only the humble followers of a great and powerful part of this nation, and the most remarkable for its zeal for the religion by law established. How is it then, that the punishment should fall upon them alone ? The attachment to the exiled family has been supposed to extend to many members of the church of England, and to have continued in some degree down to the accession of his present Majesty ; who by being born a Briton, and his manifest benevolence for all his subjects, has gained their affections, and verified the saying of an honest minister to a great king, “ that the surest way “ to acquire the love of his subjects, was to “ love them.”

Not many years ago one of the Universities was branded with the charge of being paved with Jacobites ; and yet in how high a degree
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of royal favour do the members of that body seem to stand at present? There are many other instances of the like changes. I do not mention any thing of this sort by way of reproach, but join in applause of every change of political sentiments, which gives stability to our excellent constitution, and contributes to the peace and inward strength of the British monarchy.

His present majesty's Roman Catholic subjects are also extremely sensible of his great goodness, and with unfeigned gratitude acknowledge his clemency and moderation, in regard to those of a different way of thinking in religion from the established church; it is a virtue which extends in a particular manner to all the illustrious house of Hanover, of which their Catholic subjects both here and in Germany have felt the happy effects; and if it was not for the laws made before the reign of the princes of the present royal family, all thinking persons of that persuasion would deem themselves under the most eligible form of government now subsisting in the universe; for even if a person of their own communion could acquire the crown of
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this realm, it would probably be their destruction, by the jealousy it would raise in their fellow subjects. They have also strong proofs that such a revolution might be fatal, by their being brought to the brink of ruin whenever such an event was only apprehended, as in the contest for the Bill of Exclusion, and on many other occasions: at this time no such apprehension can be entertained by any unprejudiced person; for by the glorious successes of the last war, by the flourishing condition of all parts of the British empire, by the depressed state of our enemies, by the circumstances attending the exiled family, and for many other obvious reasons, his majesty's throne seems established on as firm a foundation as that of any king in Europe. It is now more than sixty years since the law was enacted for fixing the succession to the crown of these realms in the house of Hanover; and by the laws of all nations, after a certain course of years and length of possession, the rights to private property are no longer to be called in question, and sixty years is the longest time allowed by any laws I have heard of, being
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the time limited for that antient process, a writ of right, which answers to what is commonly supposed the extent of the life of man. The peace and welfare of human society require some rule of this sort in cases of claims of a public nature; and nothing can determine the period so properly as the bounds of memory and the nature of our being.

It is true, the act for settling the crown on the princess Sophia and the heirs of her body, being Protestants, was a law of this realm from the time it was enacted; and amongst other great personages, that excellent man and able lawyer St. Thomas More declared, at a time when he was laying down his life for his religious principles, that he should acknowledge for his lawful sovereign whomsoever was constituted king by act of parliament; but it is also true, that such laws acquire strength by course of years and the acquiescence of the people; and this is the general sense of mankind, of which we may recollect a number of instances, and one within our own memory. The Pragmatic Sanction, or Act of Settlement of the territories of the house of Austria, was confirmed

firmed by every assurance that the inhabitants of those countries could give, and was guaranteed by several foreign powers; yet all Europe foresaw, that upon the death of the last Emperor of that family, the destination of a successor to his hereditary dominions would be called in question; and it was so, not only by foreign powers, but likewise by their own subjects, who seemed divided to whose claim of sovereignty they should yield their obedience; yet at present the Pragmatic Sanction is as firmly established as any other law for the succession of Sovereigns, and there seems to be no wavering in the fidelity of the subjects of the Empress Queen. In the same manner the Catholics of these Islands, and many other persons who have been ranked under different party names, may, at this time, be faithful subjects to his present Majesty, who would not willingly have submitted upon the limitations of the Act of Settlement first taking place.

All the Roman Catholics now living were born under the government settled at the revolution; and by a natural consequence owe submission and allegiance to his Majesty and

the present constitution, in the same manner as every man's country, and the rights which he acquires, and the duties which are incumbent on him, are, generally speaking, fixed and determined by the place of his nativity. Besides, neither religious or any other principles impose on Catholics any sort of obligation of enquiring into what passed in the political world before their days.

There was a remarkable instance in the last war of the regard that is paid to long possession : the present electoral family of Saxony is descended from a younger branch or the Albertine line of the house of Saxony ; the princes of Saxe-Gotha and some others are descended from the Ernestine or elder branch, of which was John Frederick, who was deprived of the electorate by the emperor Charles the Fifth, who gave it to Maurice, a prince of the younger branch. The king of Prussia had it undoubtedly in his power to have restored that fruitful territory to a prince of the elder house, who must have remained attached to the Prussian Interest, yet public intelligence has never informed us of any such design being in agitation : these and many

other reasons, together with the example of all their fellow subjects, have wiped off every thought of disaffection to his majesty's government from the minds of Roman Catholics; and all designs of enforcing an uniformity of worship in this kingdom having vanished for at least half a century past, I am in hopes that it plainly appears to your Lordship, that the only reasons for these severe laws continuing unaltered under the mild reign of our present Monarch, are certain prejudices which are worn into the minds of our countrymen. If the causes which produced those prejudices have ceased long ago, it is reasonable their influence should also cease. In order to explain this part of the subject, give me leave to take a short view of some past transactions in the history of our own country, from which such prejudices may have arisen.

That rancour which often attends religious zeal, or the pretenders to it, was heightened by various motives of self-interest, chiefly at first by the lands of the dissolved abbies being divided amongst a great number of persons, who thought they secured their property, by representing the former possessors, and those

those who continued to adhere to their doctrine, in the most odious light ; and though by the prudent management of Cardinal Pole in queen Mary's reign, every possible security was given by acts of parliament and Popes bulls, to make the titles of the possessors of those estates unquestionable, yet this motive has long continued to influence many persons, who claimed under the purchasers or patentees of those estates. This matter is fully explained in Dr. Johnson's treatise of Assurance of the Abbey and other Church Lands in England.

The cruelties exercised in queen Mary's reign are another source of prejudice, though persecution has been made use of against their opponents by every division of Christians in their day of power. Thus when Calvin had escaped from the persecution raised against him and his followers in France, he put Servetus to death for heresy at Geneva. The sectaries who avoided the persecution of archbishop Laud, by flight to the wilds of America, persecuted each other ; and those who held the Covenant of Grace, could not live in the same desert with those who held

the Covenant of Works. Queen Mary seems to have inherited the sanguinary disposition of the Tudor family, to which she joined the Spanish notion, that it is incumbent on man to revenge the cause of God ; which, according to the author of *L'esprit des loix*, is a maxim productive of many mischiefs ; from which, and the misapplied rules of Christian penitence, arose the authority of the inquisition, for many reasons a most exceptionable tribunal ; which, I have been told, claims no power from the state, and seems to have no authority from the Gospel, or the practice and ecclesiastical government of the first ages of the Christian church ; yet the High Commission Court imitated its proceedings ; and the Presbyterian Synod is very humorously compared to it by the author of *Hudibras*.

The principal persons who suffered in queen Mary's reign might have been punished for high treason, but she chose to have them condemned for heresy, that so the punishment might fall on those she deemed the enemies of the Almighty, rather than consider them as offenders against herself and the state ; but

even in those days the wise and good, such as cardinal Pole and archbishop Heath, disapproved of all violent proceedings, as all English Catholics do at this time ; there was a heat and animosity at the beginning of the reformation, which no longer affects the minds of the present race of mankind.

In the next reign the torrent of persecution took an opposite course, and laws were passed, by which mere acts of religion, which had no other object but the worship of the Deity, were made high treason against the sovereign, and in some cases felony, or subjected to grievous penalties, and great numbers were punished accordingly. There is something in nature itself which constitutes the heinousness of crimes, independent of the authority of the legislature ; and nothing proves it more strongly, than the horror that would in these times seize every breast, if such laws were now put in execution ; which might be compared to the case of the unfortunate lady, who suffered death as a state criminal, for undressing herself in a place where she could see the statue of a Roman emperor.

In the long reign of queen Elizabeth great

weight was added to prejudices formed against Catholics, by the popular character of that great princeſs of the one ſide, and of the other by the attempt of the Spaniſh Armada, and by the proceedings of the court of Rome, grounded on thoſe uſurped pretenſions of depoſing kings; which were not ſo univerſally exploded as in theſe later years. A Catholic author, under the name of Doleman, and ſome others, wrote in defence of thoſe pretenſions; and what perhaps gave ſtill greater offence to the queen, they endeavoured to prove that ſhe and all other ſovereigns derived their power from the people. Many of their arguments have, ſince the Revolution, been retailed in pamphlets and news-papers; but they were oppoſed by the church of England, which maintained the indefeafiible divine and hereditary right in kings, together with the duties of paſſive obedience and non-reſiſtance in the ſubjects; which long continued to be in a peculiar manner the doctrine of the eſta-bliſhed church, as may be ſeen in a variety of books, and particularly in the accounts of the trial of Dr. Sacheverel; yet the words *Popery* and *Slavery* are often mentioned together, though

though many eminent Catholic writers, like the archbishop of Cambray, have inculcated sentiments the most favourable to civil liberty. The Roman History compiled by a Catholic gentleman, the late Mr. Hook, breathes the true spirit of freedom, and maintains the rights of the people. Those sovereigns who founded and established the Protestant Religion in England stretched the prerogative of the crown far beyond their Catholic predecessors. Queen Elizabeth's successor, before he came to the crown of England, had given the Catholics fair promises of a milder treatment than they had met with in her reign; but they found themselves greatly deceived, and some few joined in a most detestable plot of blowing up with gunpowder the King and the House of Lords on the first day of the meeting of parliament. It is very manifest, that if this wicked enterprize had taken effect, it must have been the destruction of those in whose favour it was pretended to be formed. This plot seems to have been known to the king, or some of his ministers, before the discovery was made public, and they availed themselves of this, and of others

of their own fostering, to intimidate the people, and draw their attention from the measures pursued by the government, which seems to have been great part of the policy or kingcraft of that reign. But what may be justly complained of is, that the crime, however heinous, of a few persons should be imputed to all those who happened to have the same way of thinking in regard to religion, though they always professed an abhorrence of all such attempts; and that the odium against innocent persons and their posterity should be continued and fomented through many succeeding reigns.

The accusation that this wicked project was undertaken in consequence of the principles of the Catholic religion, is clearly refuted by the behaviour of the criminals themselves; they acknowledged the heinousness of their crime, and the justice of their punishment, as repenting malefactors usually do; there appeared nothing in them of the sacred fortitude of martyrdom, or of the spirit of persons who suffered for their faith: but what must appear conclusive to impartial persons, nothing has ever been wrote to justify those
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really concerned in this horrid plot, or even to extenuate their guilt, any otherwise than that some Catholic writers have pretended, that the plot was a contrivance of the prime minister, and Catesby, a man of desperate fortune, the tool he employed, who drew in seven or eight persons, most of them rash unthinking young men; that king James the First called the Fifth of November by the name of Cecil's Holiday; that he restored the forfeited estates to the children or families of those who had suffered. But however this dark affair may have been conducted, it is pretty clear the king did not imagine that any tenets of the Roman Catholic religion countenanced such a black conspiracy; otherwise he would not have been so desirous as he was, for his son's marrying a princess of that persuasion. I lately found amongst the papers of a person, who had a considerable employment under the government in those times, the copy of a letter wrote to the Pope by king Charles, then prince of Wales, before he went to Spain; wherein he professes his earnest desire for the peace and unity of the church, and his knowledge of the king his
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lord and father's pleasure to further that intention ; and in another part of the letter he says, " It is certain I would never so earnestly desire to tie myself with the sacred bond of marriage unto a person whose religion I could not endure : wherefore, let your holiness be persuaded, that my mind now is and always shall be very far from plotting any thing contrary to the Roman Catholic religion."

There is an observation of Mr. Walpole's, in his Catalogue of Noble Authors, that insincerity made part of the character of king Charles the First : none of our sovereigns have shewn such an aversion to those of their subjects who profess the antient faith, and none received greater and more important services than this unhappy monarch, who a little time before the battle of Naseby made a vow to dismiss them from his court and his army, had he succeeded in that engagement, as may be seen in an account given of a conference held between him and the marquis of Worcester at Ragland Castle ; and long before this vow was made, their destruction was resolved upon during the ministry of lord Strafford : but that Power which says to the sea, *so far*
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thou shalt come, and no farther, set bounds to such violent resolutions, by a series of wonderful events.

The exaggerated accounts given of the Irish massacre have been another fund of declamation, not only against the perpetrators of those acts of cruelty, but likewise against all those who profess the same faith in regard to the mysteries of the Christian religion : this subject has been so well and so fully treated in a book, intituled, *The Trial of Irish Roman Catholics*, that it is unnecessary to add anything more, but to acknowledge the disinterested generosity of the author, who has espoused the cause of an innocent long-oppressed people, and clearly shewn that the number of persons who lost their lives was inconsiderable in comparison of what has been represented ; and that none but the lowest class of people were guilty of the cruelties complained of on that occasion, which are in a manner always the consequence of great popular insurrections ; and that those in power seem to have urged them to some desperate undertaking, by every kind of provocation, with a view to aggrandize their own fortunes by plunder
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and proscriptions. How unjust would it be to punish the Protestant dissenters of these days, because those who held the same religious tenets committed many excesses, and were the cause of much misery and bloodshed during the long civil wars of England !

Great numbers of English Catholics lost their lives and fortunes in the service of king Charles ; yet after the tragical end of that unfortunate monarch, they have been often accused of favouring the cause of those who brought him to the scaffold. The only grounds for this aspersión that I have ever heard of, was an application of Sir Kenelm Digby's and of some few others to Cromwell and the Independents, for liberty of conscience ; and a plan was proposed for the English Catholics becoming good and useful subjects, under a government which then might seem to be fixed on a permanent foundation. This conduct of Sir Kenelm Digby was condemned by most of those of his own communion, who adhered to the political sentiments, which were then zealously maintained by all true members of the church of England. At this time, when those sentiments are altered, and the

the violence of party spirit is happily abated, Sir Kenelm Digby may appear less blameable ; he might think that the peace and welfare of a great nation were not to be brought in competition with the pretensions of any single person or family ; that a people exhausted by a long and bloody civil war required some repose, into whatever form of government they happened to subside, after the great commotions which had then lasted for many years ; he might, like a good citizen, imagine he ought to submit to what best suited the then present disposition of the people ; though, like Solon the Athenian lawgiver, he could have wished they had been inclined to receive better laws, or a more perfect form of government. If the principles of the Christian religion are consulted in order to decide this question, and those who lived nearest the time of its institution may be supposed to know them best, Sir Kenelm Digby is certainly justified by the behaviour of the whole body of primitive Christians. During many centuries they were not only submissive, but served with fidelity whatever emperor was acknowledged by the senate and Roman armies,

armies, though some of them had acquired their power by the murder of their predecessors, and other enormous crimes. And notwithstanding inheritance was the general law for the succession of sovereigns amongst our Saxon ancestors, and most of those other nations who subverted the Roman empire, yet when a great and important interest of the state required it, an exception was made to that general law, which then was not deemed divinely unalterable, but subservient to the welfare of the community.—*Salus populi suprema lex.*

Besides these general considerations, Sir Kenelm Digby might be influenced by Cromwell's being disposed to grant universal toleration in matters of religion; although from the wicked means on which his government was raised, he must have been very suspicious, yet he seems to have relied on the sincerity of Sir Kenelm Digby's submission, and to have received him into favour. With how much more reason may the friends of the present established constitution receive the Roman Catholics sincere and humble tender of allegiance and fidelity to a sovereign who
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mounted the throne with the universal acclamation of all his subjects, by virtue of a now long-acknowledged law of inheritance?

After Cromwell's death the nation fell into such confusion that it became necessary to recal the Royal Family, and restore the antient government. King Charles the Second's favourable sentiments of the Catholic doctrine were soon discovered, notwithstanding the air of ridicule with which he affected to treat religious controversy; and those of that communion entertained hopes of obtaining some degree of legal toleration; but the king followed too closely the mean ungenerous maxim attributed to lord Clarendon, of courting his enemies, and neglecting his friends; because they would still continue to be so: accordingly the king shewed little gratitude to those who had been sufferers in his and his father's cause; and what remained of the estates in Ireland forfeited in the service of king Charles the First, were granted to the duke of York. The Catholics do not seem to have given during this reign the least cause of offence that could be reasonably urged against them by the government of the nation.

tion, yet they suffered a very severe persecution: The great fire, which then happened in London, was laid to their charge, without a shadow of proof, or any grounds for the conjecture; and in order to perpetuate the falsehood, an inscription was engraven on the monument erected on that occasion; which, according to a Poet,

Where London's column, pointing at the skies,
Like a tall bully, lifts his head and lies.

About that time, and it was a particular misfortune to Roman Catholics, a powerful opposition was formed against the government under bold enterprizing leaders, who made great use of the prejudices already received against their religion; and the shades were more darkened under which they were represented, as the violence of party spirit was added to religious zeal. The supposed private sentiments of the king, and the then public profession of the duke of York, gave a plausible pretence for alarming the nation. Some intercepted letters, wrote by one Coleman, secretary to the duchess of York, to Père La Chaise, chaplain to the French king, in which the writer manifests his own intemperate

perate zeal, seem to have been the only foundation for that extraordinary plot which was adopted by the heads of the opposition, though the origin of such a heap of inconsistent perjuries cannot be imputed to men of their understanding. It is unnecessary to attempt to shew that the invectives and calumnies propagated in those times of violence, ought to have little weight at present; because every thinking person, who examines this matter with any degree of impartiality, will be convinced of their being as void of foundation as the plot itself; and join in opinion with the late Lord Bolingbroke, who wishes for the honour of his country that the prosecutions on account of this plot could be erased out of the records of history. While the rage of this storm continued, the gaols in every county were filled with Catholics; some were put to death on account of this pretended plot, many others were indited on the statute of queen Elizabeth, and suffered as in cases of treason; the king was conscious, and even declared the innocence of the sufferers, but left them, like the barrel thrown to the whale, to stop or divert from himself the

popular fury. At last, the good nature of Englishmen was shocked at the shedding of so much innocent blood, and compassion arose for persons who suffered with decency and becoming firmness, attended with a constant protestation in their dying moments of their ignorance and disbelief of any plot whatsoever. The characters of the witnesses, and the palpable contradictions and absurdity of their evidence, affected minds that began to cool; the king took advantage of this alteration in the disposition of the people, and the Rye-house plot proved fatal to some of the leading men in the opposition. He likewise pursued some measures which might have been prejudicial to the constitution of this kingdom, had he lived many years longer. At the approach of death, his majesty professed himself a member of the Roman Catholic church, and received its rites with all the outward signs of grief for his past transgressions. That church is often accused of encouraging vice, by giving hopes of a death-bed repentance; but the sentiments of her followers are the same as those of the Protestant divine, who says, *we have one example*

ample of a dying sinner's repentance being accepted, that none may despair; and we have but one, that none may presume; or, in other words, they believe the general rule revealed by divine Providence is, that the lot of man at his death should be according to the tenor of his life; but that the Almighty Goodness accepts the sincere repentance and humble confession of the dying sinner. The form of absolution is the same as that made use of by the clergy of the church of England.

After the warm contest for the Bill of Exclusion, it is surprizing to find how peaceably the nation was at first inclined to submit to the government of king James the Second, till his imprudent zeal for extending his own religious sentiments deprived him of the affections of many of his subjects. Several Catholic lords and others humbly petitioned the king not to bring ruin on himself and them and their families. They, I suppose, might be desirous of having the severity of penal laws moderated by some act of the legislature, and not by any unpopular or illegal extension of royal prerogative; but the advice of a noble lord, then secretary of state, is thought to have prevailed.

prevailed. He at that time appeared to have embraced the religion of his sovereign, and even officiated as clerk to father Petres, a weak ignorant man, who was declared member of the privy council; though he and the brethren of his society are said to have represented the glaring impropriety of such an appointment. King James the Second's impolitic connections with Lewis the Fourteenth greatly contributed to hasten his expulsion from this kingdom. France was then at the highest point of its power, not only by its inward strength, but also by the weakness of the neighbouring states. The weight and influence of England thrown into that scale most evidently endangered its own glory and independency, and that balance of power which preserves the liberties of the whole Christian common-wealth. The crisis was alarming: what is called the interest of religion gave way to the dread of the haughty monarch of France; and the pope, the emperor, and king of Spain concurred in the measures of the prince of Orange.

The Catholics of England may make a submissive but just request, that the rashness
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and folly of some of the proceedings during the short reign of James the Second, in which they were only in a manner the passive objects, may not be placed to their charge, much less to that of their posterity. Altho' religion had not bestowed on the dethroned king that discernment which was proper for governing this nation, still it supplied motives of comfort and resignation in his misfortunes for the remainder of his life.

The revolution, which placed king William on the throne of England, gave the English Catholics great apprehensions of a severe persecution; but they were mistaken in their conjectures on this, as on many other occasions; for that monarch was not only himself averse to persecution, but that universal freedom of thinking, which is now diffusing itself over great part of Europe and the European colonies, and which is attended with pernicious consequences, especially when it extends to the lower classes of mankind, took its rise chiefly during his reign. Besides his natural phlegm, and that toleration he had seen in his native country productive of so many national advantages, king Wil-

liam might possibly consider the church of England as approaching much nearer that of Rome than it does to Calvinism, in which he had been educated.

A most severe law, often called How's Act, was brought into the House of Commons, by the party which opposed the court; and to avoid the imputation of cruelty, some members pretended their intention was to serve the cause of the banished king, and to embarrass the negotiations then carrying on with the house of Austria; as king William was then supposed to have given hopes to that family, which has been remarkable for its zeal in the concerns of religion, that his English Catholic subjects should meet with a more favourable treatment. If the well-wishers to king William had designed such a law, it would probably have been resolved on in their first fervour at the beginning of his reign.

Many circumstances coincided to exclude from the general toleration those only who adhered to the long established faith of their ancestors. Such persons who favoured the doctrine of the indefeazable divine right of kings,

kings, were exasperated against the professors of a religion, which they imagined to have occasioned an irreparable breach in the constitution of this kingdom. The opposite party thought they did a most essential service to king William, by painting in the blackest colours the religious tenets of their late deposed sovereign. Some few obscure writers, believing the fee of Salisbury to have been the reward of a total disregard to truth, pursued that as the broad road to preferment. Thus views of ambition and interest have, since the Revolution, concurred with many other motives to exhibit the principles and worship of English Roman Catholics in the most ridiculous and opprobrious light. Every modest apology for themselves would, at certain periods, have given offence; because it was thought disserviceable to the government that they should appear less culpable in the eyes of their countrymen, than religious and party zealots thought proper to represent them. All reasons for keeping up these prejudices are now ceased; religion does not affect his present majesty's title to the crown: and if Popery appeared to the people as

harmless and as indifferent as Quakerism his throne would be equally secure. His Catholic subjects plainly discover their protection, and relief can be hoped for only from the princes of the house of Hanover, and the compassion of their fellow subjects. During queen Ann's reign some addition was made to the Penal Laws; but chiefly with regard to advowsons; and Catholics honestly admit, that it seems reasonable that persons should not present the ministers of a church in whose communion they refuse to join. This restriction extends to none but them.

For the same political reasons which influenced in king William's reign, it was thought necessary to keep up a horror of Popery in the minds of the people; and the press and the pulpit were often employed to revile it; perhaps also to throw a veil over the part the princess Anne had acted in the deposition of her father. It is plain these motives have no relation to the present royal family.

The queen's earnest intentions for the propagation of the doctrine of the church of England, appeared in several instances. It was happy for many of her subjects that
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her ministers were not inclined to persecution: they opposed the bill against occasional conformity, which was levelled at the Protestant dissenters; though such a law was not disagreeable to her majesty's sentiments, as the late duchess of Marlborough takes notice in her Memoirs. Had the queen's councils been directed by a Laud or a Gardiner, she would probably have employed one part of her subjects in oppressing and settling the faith of the other, instead of gaining those glorious victories which humbled France, and preserved the independence of the different powers of Europe.

The English Catholics escaped by the humane disposition of the great men intrusted with the management of public affairs in England: but their brethren in Ireland were left to the merciless zeal of the duke of Ormond; who, regardless of public faith, and the articles of the capitulation of Limerick, formed and had enacted a body of penal statutes; through which, although they do not inflict capital punishments, there runs such a vein of ingenious cruelty, that they seem to be dictated by some Prætor of Dioclesian, or Spanish inquisitor, rather than by a British nobleman:

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for those laws were calculated to encourage informers, to throw dissensions into private families, and abolish a sense of moral duties. King William had done every thing that was necessary to prevent insurrections, and secure the submission of the Irish Catholics; but the duke thought perhaps to atone for immoralities by the sufferings of others, and intailing misery on a considerable part of the Irish nation. In his expedition on the coast of Spain, his soldiers committed many outrages and profanations of what was thought sacred by the inhabitants, whereby he greatly alienated their affections from the prince on whom this nation endeavoured to bestow the crown of Spain. How different was the conduct of the duke of Marlborough and lord Peterborough, who gave constant attention not to offend the religion of people whose good-will might be of service to the cause of England. The favour and protection granted by the duke of Marlborough to some poor English convents in the Low Countries, are commemorated to this day with singular marks of gratitude.

It may be worthy of observation, that the duke of Ormond met with a heavier punishment

ment than any other of the queen's last ministry; and after the bill of attainder had passed against him, he fled for protection to that country where he had connived at the sacrilegious excesses of his army; and afterwards retired to Avignon, a territory belonging to the first prelate of that church which he had treated with so much cruelty. It would not be difficult to add many examples to the list Lactantius has given us, in his book *De mortibus persecutorum*.

The struggle of parties which disturbed the last years of queen Ann's reign brought no new act of oppression on the English Roman Catholics; and some of them have acknowledged their particular obligations to lord treasurer Oxford. If the dispositions of his royal mistress, and the ferment of the times had permitted, they had hopes of more extensive favours.

At the accession of king George the First to the crown of these realms, the party to whose political creed most of the English Catholics adhered, easily persuaded them, that now the gracious queen was dead, the time of their destruction was at hand, unless they joined in opposing

opposing the monarch, who had lately taken possession of the throne; and many, who had been zealous for church and queen, promised to rise in arms in different parts of England; and, to use the party word, they intended to *hollow* the house of Hanover out of the kingdom. Thus several Catholics in the northern counties were pushed forward, as the forlorn hope of a party of which they had been the obsequious followers till that time, and united with the Scotch when they invaded England, who were likewise deceived, and Mackintosh their general declared, he came in expectation of being joined by persons of more consequence than Papists.

If the disposition of the inhabitants of this island towards the end of queen Ann's reign is maturely considered, and that it was so uncertain, that king George the First delayed several weeks coming over to take possession of the throne, and is said to have consulted the grand pensioner of Holland on the subject; if to this be added the many clamours that were then raised against England's being united to a German electorate; the conduct of the Catholics in the northern

northern part of this kingdom will appear more excusable: they might imagine the case similar to that of king James the First and several circumstances not very different. The Stuart family was in like manner excluded from the succession to the crown of England, by the will of Harry the VIIIth, made in pursuance of an act of parliament; yet on the death of queen Elizabeth, the settlement made by her father in favour of the house of Brandon was disregarded, and the king of Scotland was called in by the English nation. The act of recognition may be construed a repeal of the order of succession limited by the will of king Henry; I only mean by this that doubts might arise at the *beginning* of the reign of king George the First, for which there is no pretence at this time, as I have already endeavoured to prove.

The right of the house of Hanover founded on the act of settlement, by overcoming the opposition in the year 1715, was also established by conquest over their Catholic subjects, which I mention, because, if there are none at present, there have been persons, who maintained that *conquest*, that is, rapine, blood-

shed, and devastation, could give a title to a crown, which the general consent of a free people, they imagined, could not.

The sovereigns of the Hanover family have made a much more glorious conquest by their clemency, and the mildness of their government, and thereby gained the hearts and voluntary submission of those who were supposed to be their enemies; and in consequence of this, the peaceable disposition of English Roman Catholics was so well known, that the projects of Dr. Atterbury bishop of Rochester, and of many others, were never communicated to them. The French prime minister, the late cardinal Fleury, was so well informed of their sentiments, that upon an application to use his interest with Sir Robert Walpole, afterward earl of Orford, in favour of those of his own communion, his answer was, that he knew the English Catholics would never do any thing for the advantage of France. God forbid they should on any pretence so far forget their duty, as to be guilty of an attempt in prejudice to the welfare of their own country! The Scotch invasion in 1745 was no-ways concerted with them, as seemed to appear

appear by the evidence of secretary Murray: and though a strict search was made, no arms, no ammunition, no sort of preparation for rebellion, was discovered amongst the Catholics, either in England or Ireland: they did not even publish a reply to that torrent of invective that was poured forth against them at that time; when, as was usual on such occasions, it was thought conducive to the service of the established government to hold out Popery like the Gorgon shield, to frighten away every sentiment of dissatisfaction from the minds of the people. But however the passions of the vulgar were inflamed, still the humane tolerating principle of his late majesty and his ministers prevented any addition being made to the severity of the penal laws, or those laws being put in execution by order of the government. But amidst all that has been said and wrote against Roman Catholics, they acknowledge, with a gratitude mixed with astonishment, that they have never heard of one reproachful expression in their regard, or any disdainful word being uttered by any of the princes or princesses of the house of Hanover. Even the custom of burning popes, and
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such-like practices, made use of to animate the mob, were discountenanced by them.

This moderation and a kind of abhorrence of persecution, which began with the reign of king George the First, seems to have been rewarded by the Almighty Disposer of all human events in a most signal manner. If the grandeur of the house of Austria was attributed to a virtuous action of their ancestor, a count of Hapsbourg, why may not I consider in the same light the present splendor of the house of Hanover, of which the male line governs the British empire with a glory, a display of wealth, a superiority of naval power, and an influence in the affairs of the world, far exceeding what human foresight would have conjectured: their German dominions have also been greatly enlarged.

The king of Prussia, the Stadtholder of Holland, the presumptive heirs to the kingdoms of Sweden and Denmark, and to the Langraviat of Hesse Cassel, are all descended by the females from the same illustrious family. The queen of Hungary, as I have been assured before the beginning of the last war lamented that difference of religion, and the laws

laws of England prevented an alliance by marriage between her progeny and the royal family of England.

Notwithstanding the most humane disposition of his present majesty, and of the sovereigns of the house of Hanover, yet as they always made the laws of the land the rule of their government, their Catholic subjects remain exposed to many hardships, because the penal laws are often put in execution by their fellow subjects, and that part of the penalty given to the informer is recoverable, though the king should be graciously pleased to grant a *noli prosequi*. As some suffer by malicious prosecutions, brought on from motives of mere private resentment, so the situation of those who escape such vexations, resembles that of the guests invited to the feast by Dionysius, who sit with the sword of persecution continually hanging over their heads. It would be a tedious task to me and to the reader, to enter, like the Quakers, upon a detail of their sufferings; but they would deem it a most signal obligation conferred on them, if instead of being liable to suffer from the passion or dislike of particular persons, such

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prosecutions were restrained from being carried on without the consent of some of his majesty's great officers of state.

That severe law which deprives Catholics of landed property is daily put in execution ; and that they may not avail themselves of the wise maxim so favourable to liberty, that a penal law is to be interpreted according to the letter, and not enlarged by any supposed intention of the legislature, this statute has been called not a penal, but a disabling law, in order to make the rigour of it more extensive : On the same account an alteration was made in that general rule of property, that land left by will, and directed to be sold, was to be considered as money or personal estate ; but the residue of the money arising from an estate devised to be sold, being left to a Roman Catholic, was decreed to be considered as land, which he was incapable of taking, lest he should escape the severity intended by the law. And what is most unfortunate, precedents are made in times of animosity, when dangers are apprehended, which guide subsequent determinations, in times when all is peace, and every shadow of danger or even dangerous

dangerous inclination to the established government is vanished away.

Continual difficulties and inconveniencies arise from other parts of that body of penal statutes, besides double taxes, and being excluded from many professions. Great trading companies have also extended this proscription, and debarred Catholics being employed in their service; they are likewise excluded from several American colonies, though in Maryland they have always shewn a fidelity and remarkable submission to the English government, and have particularly avoided a correspondence with the enemies of Great Britain. All these and many other instances of severity appear the more grievous to Roman Catholics, because a legal toleration is granted, or not denied, to those who profess every other sort of religious worship: The oaths and declarations have been formed in opposition to no other tenets but theirs; the Jews, for example, find in them nothing contrary to their belief. It is not from envy at their more favourable treatment that I mention them in particular; the descendants of Abra-

ham and the Patriarchs ought to be considered by Christians on many accounts as a very respectable people ; and I congratulate my countrymen on having overcome antient prejudices, and given an asylum to those who have been so cruelly treated in most other countries ; but I here only consider them in their relation to this kingdom.

Every Jew has by law the free exercise of his religion, and if born within the king's dominions, according to the opinions of the most eminent lawyers, he may purchase land and every other kind of property, and is intitled to the liberty and every birth-right of an Englishman ; that branch of paternal authority, by which the father appoints guardians to his young children after his death, is never set aside in their regard, under any pretence whatsoever ; a foreign Jew may be naturalized by residing seven years in the British American colonies ; they and the Quakers had the favour shewn them of being excepted in the Marriage Act ; and yet the Jews must always remain a distinct people ; they can never consolidate so as to form one body with the other inhabitants of this country ; they never serve
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in the armies or the fleets ; they do not join in the labours of agriculture or manufactures ; their merit seems to arise from the extensiveness of their correspondence, which gives a quickness to the circulation of paper credit, and perhaps a facility to ministers to borrow money on parliamentary security ; this may have been a temporary convenience to an administration, rather than a lasting advantage to the kingdom. It may be conjectured from what has lately happened at Hamburgh and Amsterdam, that if ever the Colossus of public credit should sink by its own enormity, or be overthrown by national calamities, the Jews, upon the first forebodings of such an event, will endeavour to collect the current species, the bullion, and what merchandize is least perishable, and remove their persons and properties to other countries.

On the other side, the Catholics, against whom such a number of penal laws are subsisting, have no interest distinct from that of the commonwealth, of which they desire to be useful members ; they cultivate the land, and join in all other labours, according to their stations ; they would endeavour to serve

faithfully his present majesty, and the public, if it was not previously required of them to renounce the faith transmitted from their fathers through a long course of many ages; they have been so attached to their own country, that no families have sought for settlements amongst foreigners, though they have suffered persecution for more than 200 years, and which under some reigns was very rigorous. The merit of our Catholic ancestors may be a motive of compassion for those who have offended no otherwise than by retaining their religion. It is to them this nation is indebted for a part of its military glory; the days of Cressly and Agencourt served to animate the conquerors at Blenheim and Minden; from them are also derived those most valuable rights of Englishmen, that constitution or plan of power so much envied by discerning persons of other nations, and those laws which seem in many respects to exceed all the wisdom of Grecian and Roman jurisprudence; and as the conciseness and mildness of those laws shew the innocence of their manners; so their hospitality, their relieving the necessities of the poor, without
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public assessments, or the incumbrance of parish laws, their immense labours in erecting stately fabricks for celebrating the divine worship, and their pious and well-meant, but too numerous foundations, manifest both their piety and their social virtues ; and those too ample endowments were not left by will, but made by charter or deed by those who deprived themselves of their wealth in their own lifetime. Persons who do not care to read books of controversy, and are desirous of forming a dispassionate judgment of the Catholic religion, may examine its venerable ruins preserved by judicious and candid Protestant writers, such as Sir William Dugdale, Sir Harry Spelman, Herlin, Collier, Wharton, and many others, and not receive partial impressions from mere party declaimers, or the out-cast priests of foreign colleges ; for who would pretend to draw the true character of the late Sir Robert Walpole from no other information, but the writings published in the *Craftsman* ?

Some diminution of the burden of penal laws may be a kind of gratitude and deference to the memory of our common ancestors, to

the blood of those who established and supported the charters of English liberties, to the manes of the Henrys, the Edwards, and the all-accomplished Alfred: It is the religion which was the rule of their actions, that is treated with such singular marks of severity.

A more enlarged plan of toleration may be productive of some present emolument; it may be a convincing proof to foreign nations of the union that prevails through the British monarchy; and though there may be difference of sentiments about the measures of the administration, yet that there is no disaffection to the government, even in those who have formerly been the most suspected. It will undoubtedly serve to gain or increase the good-will of those nations who hold communion with the see of Rome, with whom this kingdom has continual negotiations, and carries on many beneficial branches of commerce, if the laws allowed the profession of no other religion but that of the church of England; it would be according to the practice of some other countries, though very improper policy, as Sir Josiah Child has observed, for that immense trade and communication with foreigners,

ers, which is the foundation of the wealth and grandeur of Britain : But in case all other forms of worship are tolerated, that of the Moravians for instance, who have been of late years admitted to the rights of Englishmen, and who, according to Rimius, a Protestant clergyman, paid divine honours to Count Zinzendorf their founder, under the name of the Lamb, whose women are said to be in common, and their love feasts to resemble the rites of Venus and Adonis. If they met with no opposition in obtaining a law to be enacted in their favour, it is telling in the strongest terms those nations who have retained the Roman Catholic faith, that their religion is more odious, more inadmissible into human society, than any thing the wildest imagination could produce in the minds of the lowest dregs of mankind.

An indulgence granted to Catholics by the legislature may soften the harshness of religious zeal in other parts of Europe. The example of Great Britain in her present exalted state will give a bias to the political systems, will direct the councils of other nations, and spread sentiments beneficial to human nature throughout the universe.

No bad consequence has been imputed to the ways of lenity which have been pursued by the government under the sovereigns of the house of Hanover, in whatever light they are considered; which may be a motive to the legislature's likewise adopting and extending this system of benevolence so suitable to the present genius of the people of this and many other countries. Amongst several good effects which may ensue, the inhabitants of the new-acquired colonies may thereby be preserved from oppression; some additions to the wise regulations, already made by royal proclamation, in the course of a few years, will induce those Creolians to be as firmly attached to the English government, as they were to their former masters. The division of the great continent of North America into several different governments, is certainly a prudent measure towards preserving their dependance on Great Britain; and a diversity of worship and religious principles will be very conducive to the same purpose.

By an article of the late treaty of peace his majesty was pleased *to grant to his new Roman Catholic subjects the liberty of the Catholic religion,*

religion, and that they might profess the worship of their religion according to the rites of the Romish church, as far as the laws of Great Britain permit. This is a kind of original contract, under which they owe fidelity to the king of Great Britain ; but if those people are governed by the laws of England, may not their minds be full of apprehensions and anxiety when they consider that by those laws their priests, at least such as are ordained since the late peace, may be hanged, drawn, and quartered, and that they, for harbouring a priest, are liable to the somewhat milder punishment of hanging, and that without proceeding to such extremities, they may be convicted of recusancy, and subjected to banishment, to premunires to fines, imprisonments, and a variety of forfeitures? and though the governors may bring over a share of that spirit of moderation which reigns in his majesty's breast, still they may be persecuted by any of those who settle in the same colony. Thus their subjection will be like that of the Lacedemonian Hylots, not only to the public magistrate, but to every other individual.

Some of the American governments, as
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the news-papers inform us, have already ordered all their priests to be put to death, who are found amongst the Indian nations ; and likewise that some of his majesty's new Roman Catholic subjects, settled towards the mouth of the river St. Lawrence, having displeased their neighbours, the oaths have been tendered to them, and upon their refusal, they are to be banished from their homes, and ships are ordered to be got ready to transport them to other countries. Though their labours, trade, and consumption of English manufactures may be of service to the general interest of the state, yet if they interfere with the private views of particular persons, they will be represented as unfit subjects to live under the British government. The prosecutions against some of them may make others apprehend that they also shall be reduced to the same hard alternative of renouncing their religion, or forsaking their plantations, and retiring to the French and Spanish colonies. How easily might the minds of those people be conciliated to the British government, by some degree of legal toleration, if they were made sensible of the excellence of

of the form of government which is proposed to be established amongst them, and of the happiness of enjoying the full protection of those laws, which are better adapted to the preservation of civil liberty, than any other in the known world! the flourishing condition of the neighbouring English colonies will shew what they may also attain to. Many of their missionary priests, are disposed, I am assured, to conform to the instructions that may be given by their new governors; and those itinerant pastors may be directed to instruct their hearers that England is now to be considered as their mother-country, and in such kind of sentiments, as may make them useful subjects to the king of Great Britain. By this means their duty to his majesty, and to those to whom he delegates his power, may be wove into their religion; by these lenient arts the British dominion will be coveted by the inhabitants of all other colonies, and in case of any future war, the fleets and armies of Britain may be considered by them as their deliverers from despotic rule, and the patrons of universal liberty.

Tu

Tu regere imperio populos Brittanne memento
Parcere subjeclis, et debellare superbos,
 Hæ tibi erunt artes.

No objection to a tolerating plan can be raised from the behaviour of the French Neutrals; for notwithstanding the country called Nova Scotia was ceded by the treaty of Utrecht, the inhabitants were left under every kind of French influence till the present Lord Halifax was placed at the head of the Board of Trade; and the boundaries were never ascertained, till that and the neighbouring territories were given up by the last treaty of peace. In such a state of uncertainty, it is no wonder they consider themselves as subject to the French government. Those who were brought over to England seemed to be an industrious inoffensive sort of people; and who, if they could have had the free exercise of their religion, would have been in every other regard useful and docile subjects. Some persons have imagined, that the clergy of the church of England would be offended at any degree of legal toleration being allowed to Roman Catholics; but I cannot believe that so learned a body of men, who have had so liberal an education,

education, who by many excellent writings support the general cause of Christianity, and who have shewn no disapprobation of the laws made in favour of the adversaries of the Christian name, or of sectaries professing sentiments very opposite to their own, can possibly take offence at some mitigation of the severe laws made against those, who profess a religion which has a greater affinity with their own, and to whom they have some sort of obligations.

The Clergy of the established church received the sacred deposit of the Old and New Testaments from their Roman Catholic predecessors. It is from them also they are ambitious of deriving their mission and ordination; and the labours of Father Courayer, for that purpose, have been received with applause. Every positive article of belief is in a manner taken from the Roman Catholic faith; and, besides the Holy Bible, the rule of that faith remains in part the same, as the Apostles Creed, the Athanasian Creed, the Four First General Councils, and a regard for the authority of the antient fathers of the church. There is also nearly the same hierarchy,

crarchy, the orders of bishops, priests, and deacons, and the like canons for fixing the subordination and Ecclesiastical discipline: the same books are put into the hands of the laity; the whole Duty of Man, Thomas à Kempis, the Introduction to a devout Life, and many books of that sort, translated by Dr. Stanhope and other eminent divines: Likewise the having a set form of public prayer, and very little variation in the prayers themselves, except the difference of language, and what regards the intercession of saints. The more minute or ceremonial part of the former worship has also been preserved; the particular and decent garb of Ecclesiastics, the use of the surplice, of the sign of the cross in baptism, bowing at the name of Jesus: The same days are allotted for commemorating the mysteries of the Christian religion, organs, bells, and even the placing the communion-table, the situation of which was regulated several different ways in Edward the VIth's reign; but when the church of England was established, it was fixed in the old place, and restored by some to its more solemn name of Altar. This similitude, I suppose, gave oc-

caſion to the church of England's being ſtyled Calvino-papiſta by the German Lutherans. The Calviniftical part is very much forſaken, and the gloomy predeſtinarian ſyſtem is exchanged for a more chearful and reaſonable doctrine.

The clergy of England are alſo indebted to the generoſity and labours of their Catholic anceſtors for, I think, all the cathedral churches but St. Paul's, and for a vaſt number of the parochial, as well as for thoſe large endowments which give them an independence and dignity much ſuperior to the clergy of any other of the reformed churches; the ſmall precarious ſalary of a Dutch eccleſiaſtic depends on the fancy of perhaps ſome imperious Burgomaſter. The Catholic pariſhioners are as ready to pay tithes and other dues to the Proteſtant clergyman as his own flock; and I have known them exhorted to give him as little trouble as poſſible in the collection.

If the diſpoſition of the preſent race of mankind be duly attended to, there can be no alarm from the almoſt worn out and now uſeleſs bugbear, the growth of Popery, in conſequence of moderating the ſeverity of the

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laws made against it. As long as the wealth, power, and preferments, which are in the gift of the crown or of other patrons, are annexed to the members of the church of England, all fears from any church, which is excluded from such advantages, are groundless. There was a cry that the church was in danger, when toleration was granted to the Dissenters, yet since that time their numbers are thought to be considerably diminished. The number of Roman Catholics did not encrease, when they had the particular favour of the court, from the dissolution of the Oxford parliament to the end of the reign of James the Second; none embraced their doctrine but a very few persons, who were called Court Catholics; and they, after the Revolution, all returned to the profession of the Protestant religion but Mr. Dryden. Whether some obscure persons frequent a Romish chapel, or the tabernacle of the Methodists, is of small consequence to the clergy of the church of England; the danger is to be apprehended from quite another quarter, if we may judge of the sentiments of mankind from the books which are most in vogue.

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The rising generation are now forming their principles on the writings of Voltaire, Rousseau, D'Argens, and the philosopher of Sans Souci; to whom may be added a long catalogue of authors of our own country. In France grave magistrates already celebrate, and the first courts of judicature echo with the praises of Julian and Dioclesian; calculations are made, and the period is pretended to be fixed, when Christianity is to be no more. The powerful weapon of ridicule is employed not against Popery alone, but to render contemptible the whole Jewish and Christian revelation. If the Roman Catholic religion is most visibly losing ground every day in France, where it is supported by the inclinations of the sovereign and the royal family, by an opulent and most numerous priesthood, by the laws and whole frame of the monarchy; there cannot certainly be any reasonable apprehensions of its encrease in England, where it can never expect any of those supports, and the utmost wish of its followers is the moderate treatment shewn to Jews and Moravians.

A noble author asserts in his Fifth Letter of the *Study of History*, that *whilst the writers of*

the Roman and Reformed religions have been employed to weaken the cause, and explode the system of their adversaries, they have jointly laid their axes to the root of Christianity, of which he there gives a plausible example. If the rise of the new philosophy is chiefly to be attributed to the divisions which have arose amongst Christians, the surest way to oppose its progress, is to form some kind of union ; I do not mean those chimerical schemes, of uniting in the same profession of faith persons who are not guided by the same authority ; but that sort of union which may be produced by mutual forbearance, and that unbounded charity which is given as the characteristic of the disciple of Christ ; by this Christians would avoid the reproach of the Dean of St. Patrick's, that they have only religion enough left to hate one another ; thus restoring their religion to its antient freedom, and to the universal benevolence of its primitive pastors.

MY LORD,

I cannot conclude this long letter, without repeating my acknowledgments for being permitted to offer to you these considerations;

tions ; I do not doubt but many other motives will occur to one of your lordship's enlarged and generous way of thinking, besides those alleged, for widening the present system of moderation ; the minds of people of all sides are happily disposed for it. The laws against Popery having been in former times thought proper, is no more a reason for continuing them, when every circumstance which occasioned their being enacted is altered, than the repealed statute of king James the First against Witchcraft. But I am running back to a subject which I ought now to have done with, and leave it to the wisdom of the legislative power of my country, whose laws it is my inclination as well as duty to revere and obey in every thing which does not interfere with the first of all duties, that submission of the creature to what he believes the revealed will of the Supreme Being.

Although my humble hopes of the burden of Penal Laws being diminished should never be gratified, still I am glad to testify my most respectful gratitude to his majesty and the princes of the house of Hanover, and that

that there is nothing in my religion which hinders my being his faithful subject and a good Englishman. I have also the honest ambition of being not ill thought of by my countrymen and most humane neighbours, and to avoid the imputation of folly or perverseness, if I cannot find reasons sufficient to justify to my own conscience an abjuration of the religious principles of our forefathers.



FINIS.

